

**RODNEY J. JACOB, ESQ.**  
**DANIEL M. BENJAMIN, ESQ.**  
**JENNIFER A. CALVO-QUITUGUA**  
**CALVO & CLARK, LLP**

Attorneys at Law  
655 South Marine Corps Drive, Suite 202  
Tamuning, Guam 96913  
Telephone: (671) 646-9355  
Facsimile: (671) 646-9403

**CHRISTOPHER E. CHALSEN, ESQ.**  
**MICHAEL M. MURRAY, ESQ.**  
**LAWRENCE T. KASS, ESQ.**  
**MILBANK, TWEED, HADLEY & MCCLOY LLP**

1 Chase Manhattan Plaza  
New York, New York 10005  
Telephone: (212) 530-5000  
Facsimile: (212) 822-5796

*Attorneys for Defendants*  
FUJITSU LIMITED, and  
FUJITSU MICROELECTRONICS AMERICA, INC.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and  
NANYA TECHNOLOGY CORP. U.S.A.,

Plaintiff,

vs.

FUJITSU LIMITED, FUJITSU  
MICROELECTRONICS AMERICA, INC.,

Defendants.

CIVIL CASE NO. 06-CV-00025

**WAIVER OF PUTATIVE CONFLICT**


**FILED**  
DISTRICT COURT OF GUAM  
APR 27 2007 *mba*  
MARY L.M. MORAN  
CLERK OF COURT

1 At the hearing before the Court on April 23, 2007, the Honorable Chief Judge  
2 Frances M. Tydingco-Gatewood disclosed that it had come to her attention over the weekend that  
3 Unpingco & Associates, LLC was conflicts counsel for the Board of the Guam Memorial  
4 Hospital, on which Board the Chief Judge's husband sits. Although not believing this to be a  
5 conflict, the Court asked that Defendants either waive this issue or file objections by April 27,  
6 2007. Defendants agree that the issue does not appear to present a conflict, and, in case, hereby  
7 waive the issue based upon the disclosures made by the Court on April 23, 2007.  
8

9 Respectfully submitted this 27<sup>th</sup> day of April, 2007.  
10

11 **CALVO & CLARK, LLP**  
12 **MILBANK, TWEED, HADLEY**  
13 **& MCCLOY LLP**  
14 *Attorneys for Defendants*  
15 *Fujitsu Limited and*  
16 *Fujitsu Microelectronics America, Inc.*

17 By:

18   
19 JENNIFER A. CALVO-QUNUGUA  
20  
21  
22  
23  
24  
25  
26  
27  
28